

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KASHON SQUIRE,

Plaintiff,
-against- ORDER
20-CV-4300 (JS) (ST)

1ST PRESENT POLICE and DULE LATIFE,

Defendants.

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APPEARANCES

For Plaintiff: Kashon Squire, pro se
640783
Suffolk County Correctional Facility
110 Center Drive
Riverhead, New York 11901

For Defendants: No appearances.

SEYBERT, District Judge:

By Order dated October 13, 2020 (the "Order"), the Court denied pro se plaintiff Kashon Squire's ("Plaintiff") application to proceed in forma pauperis. (Order, D.E. 9). The Court ordered Plaintiff to either remit the filing fee or renew his application to proceed in forma pauperis within thirty (30) days from the date of the Order. The Order also instructed Plaintiff to provide an updated address because mail sent to him at his address of record was returned to the Court as undeliverable. (Order at 1-2.) The Order warned that the Complaint will be dismissed without prejudice if Plaintiff did not timely comply. (Order at 2-3.)

To date, Plaintiff has not filed the AO 239 long form in forma pauperis application, has not paid the filing fee, nor has

he otherwise communicated with the Court about this case. The Order was also returned to the Court and marked "Not Deliverable as Addressed," "Unable to Forward," and "Discharged." (D.E. 10.) Accordingly, it appears that Plaintiff is no longer interested in pursuing this case and the Complaint is thus DISMISSED WITHOUT PREJUDICE for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The Court directs the Clerk of the Court to enter judgment accordingly, mark this case CLOSED, and mail a copy of this Order to the pro se Plaintiff at his last known address.¹

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: November 17, 2020
Central Islip, New York

¹ It is likely that this Order will also be returned to the Court. However, like all of the Orders in this case, it is also posted to the Court's Electronic Case Filing system and may be viewed there.